

PATENT COOPERATION TREATY

PCT

DECLARATION OF NON-ESTABLISHMENT OF INTERNATIONAL SEARCH REPORT (PCT Article 17(2)(a), Rules 13ter.1(c) and 39)

Applicant's or agent's file reference 2002P15410WO	IMPORTANT DECLARATION	Date of mailing (day/month/year) 08/07/2004
International application No. PCT/EP 03/10639	International filing date (day/month/year) 24/09/2003	(Earliest) Priority Date (day/month/year) 24/09/2002
International Patent Classification (IPC) or both national classification and IPC G06F17/60		
Applicant SIEMENS AKTIENGESELLSCHAFT		

This International Searching Authority hereby declares, according to Article 17(2)(a), that no international search report will be established on the international application for the reasons indicated below.

1. The subject matter of the international application relates to:
 - a. scientific theories.
 - b. mathematical theories.
 - c. plant varieties.
 - d. animal varieties.
 - e. essentially biological processes for the production of plants and animals, other than microbiological processes and the products of such processes.
 - f. schemes, rules or methods of doing business.
 - g. schemes, rules or methods of performing purely mental acts.
 - h. schemes, rules or methods of playing games.
 - i. methods for treatment of the human body by surgery or therapy.
 - j. methods for treatment of the animal body by surgery or therapy.
 - k. diagnostic methods practised on the human or animal body.
 - l. mere presentations of information.
 - m. computer programs for which this International Searching Authority is not equipped to search prior art.
2. The failure of the following parts of the international application to comply with prescribed requirements prevents a meaningful search from being carried out:

the description the claims the drawings
3. The failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions prevents a meaningful search from being carried out:

the written form has not been furnished or does not comply with the standard.

 the computer readable form has not been furnished or does not comply with the standard.
4. Further comments:

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Since the claimed subject matter presents either only non-technical substantive matters or generally known features for the technological realisation thereof, the search examiner was unable to identify a technical problem, the solution to which might involve an inventive step. It was therefore not possible to carry out a meaningful search of the prior art (PCT Article 17(2)(a)(i) and (ii); Guidelines, Part B, Chapter VIII, 1.6). It was not possible to carry out a meaningful search covering the full range of the claims in particular since they relate to schemes, rules or methods of doing business – PCT Rule 39.1(iii).

The applicant is advised that claims relating to inventions in respect of which no international search report has been established cannot normally be the subject of an international preliminary examination (PCT Rule 66.1(e)). In its capacity as International Preliminary Examining Authority the EPO generally will not carry out a preliminary examination for subjects that have not been searched. This also applies to cases where the claims were amended after receipt of the international search report (PCT Article 19) or where the applicant submits new claims in the course of the procedure under PCT Chapter II. After entry into the regional phase before the EPO, however, an additional search can be carried out in the course of the examination (cf. EPO Guidelines, C-VI, 8.5) if the defects that led to the declaration under PCT Article 17(2) have been remedied.